

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA

DOCKET NOS. 2003-49-T and 2003-191-T - ORDER NO. 2010-46

JANUARY 21, 2010

IN RE: Docket No. 2003-49-T – Application of)	ORDER RESCINDING
Henry G. Young, Jr. d/b/a Come Correct)	ORDER NO. 2009-388
Coach, 1517 Ellis Avenue, Orangeburg, South)	
Carolina 29118 (District 6) for a Class C)	
Charter Certificate of Public Convenience and)	
Necessity)	
)	
and)	
)	
Docket No. 2003-191-T – Application of)	
Henry G. Young, Jr. d/b/a Come Correct)	
Coach, 1517 Ellis Avenue, Orangeburg, South)	
Carolina 29118 (District 6) for a Class C)	
(Taxi) Certificate of Public Convenience and)	
Necessity)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Motion of the Office of Regulatory Staff (ORS) to rescind Commission Order No. 2009-388 issued to Henry G. Young, Jr. d/b/a Come Correct Coach (Young or the Applicant) as the result of the failure of the Applicant to comply with certain rules of this Commission. By Order No. 2009-388, dated June 19, 2009, the Commission reinstated Young's authority to operate as a motor carrier in South Carolina under Class C Charter and Class C Certificates of Public Convenience and Necessity.

In Order No. 2009-388 reinstating Young's Certificates, the Commission directed the Applicant to file, or cause to be filed, with the ORS the proper license fees, proof of liability insurance, and other information required by S.C. Code Ann. Section 58-23-10 et

seq. (1976), as amended, and by 26 S.C. Code Ann. Regs. 103-100 through 103-241 (Supp. 2009) of the Commission's Rules and Regulations for Motor Carriers, and 23A S.C. Code Ann. Regs. 38-400 through 38-503 (Supp. 2009) of the Department of Public Safety's Rules and Regulations for Motor Carriers, within sixty (60) days of the date of the Order, or within such additional time as may be authorized by the Commission.

Further, Order No. 2009-388 instructed Young that the failure to either complete the certification process by complying with the requirements of filing with the ORS proof of appropriate insurance, payment of license fees, and such other information required by law within sixty (60) days of the date of the Order or to request and obtain from the Commission additional time to comply with the stated requirements, may result in the Applicant's authorization being revoked.

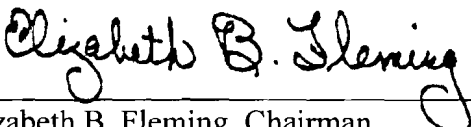
By Motion filed December 17, 2009, ORS requests rescission of Order No. 2009-388. According to ORS, Young has not filed proof of insurance as required by 26 S.C. Code Regs. 103-171 and has not filed the license decal application form and the decal fee as required by 26 S.C. Code Ann. Regs. 103-151(1). As a result of Young's failure to provide to the ORS proof of insurance and the appropriate license decal application form and decal fee, ORS states that it has not issued the Certificates of Public Convenience and Necessity to the Applicant and requests that Order No. 2009-388 be rescinded for the Applicant's failure to comply with the terms of the Order.

After consideration of ORS' Motion, the Commission is of the opinion, and so finds, that Order No. 2009-388 reinstating Young's authority to provide motor carrier services should be rescinded.

IT IS THEREFORE ORDERED:

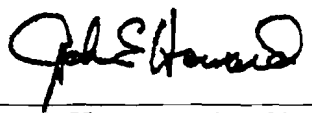
1. That Commission Order No. 2009-388, dated June 19, 2009, reinstating authority to Henry G. Young, Jr. d/b/a Come Correct Coach to provide motor carrier services under a Class C Charter Certificate of Public Convenience and Necessity and a Class C Certificate of Public Convenience and Necessity is rescinded.
2. That Docket No. 2003-49-T and Docket No. 2003-191-T are closed.
3. That this Order shall remain in full force and effect until further Order of this Commission.

BY ORDER OF THE COMMISSION:



Elizabeth B. Fleming, Chairman

ATTEST:



John E. Howard, Vice Chairman

(SEAL)